

Clerk, U.S. District Court
Southern District of Texas
FILED

SEP 22 2014

A091 (Rev. 8/01) Criminal Complaint

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

**Susana BERAZA
&
Alejandra ZUNIGA**

CRIMINAL COMPLAINT

Case Number: **C-14-1004M**

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about **September 20, 2014** in **Brooks** County, in the
(Date)

Southern District of Texas defendants, **Susana BERAZA and Alejandra ZUNIGA**

each aiding, abetting and assisting one another, did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title **8** United States Code, Section(s) **1324**
I further state that I am a(n) **TFO Robert Pina** and that this complaint is based on the following facts: **Homeland Security Investigations**

See Attached Affidavit of ICE Special Agent

Robert Pina

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No


Signature of Complainant

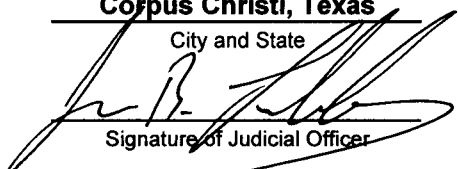
Robert Pina
Printed Name of Complainant

Sworn to before me and signed in my presence, and probable cause found on

September 22, 2014
Date

Jason B. Libby U.S. Magistrate Judge
Name and Title of Judicial Officer

at

Corpus Christi, Texas
City and State

Signature of Judicial Officer

AFFIDAVIT

On September 20, 2014 Special Agents and Taskforce Agents assigned to Homeland Security Investigations (HSI) Corpus Christi, Texas were contacted by the U.S. Border Patrol (BP) from Falfurrias, Texas in reference to an attempted smuggling event. BP advised that at approximately 3:05 p.m., a Black Dodge Intrepid displaying Texas license plates DY3S650 approached the primary inspection lane of the Falfurrias Border Patrol Checkpoint located on northbound U.S. Highway 281. Immigration Inspection of the occupants of the vehicle resulted in the apprehension of two (2) illegal aliens from the backseat passenger area and the arrests of the driver and front seat passenger for alien smuggling.

PRINCIPAL STATEMENTS:

On September 20, 2014, U.S. Border Patrol Agent (BPA) Robert Bell advised Alejandra ZUNIGA, the driver of the Dodge Interpid, of her Miranda Rights in the English language witnessed by BPA Matthew Cooze. ZUNIGA stated that she understood her rights and agreed to speak to Agents without an attorney present.

ZUNIGA, the driver of the load vehicle, initially provided a false story claiming that she was not aware of the legal status of the two (2) illegal aliens apprehended from the rear passenger area of her vehicle she was driving. Supervisory Border Patrol Agent (SBPA) Gerardo Mercado interviewed ZUNIGA regarding her involvement in the smuggling attempt and she admitted that her initial statement was not accurate and decided to tell the truth.

ZUNIGA stated she was hired to smuggle the illegal aliens by a longtime friend, Maria BERAZA, also known as "La Chuta", from Progreso, Texas. ZUNIGA claimed on yesterday September 19, 2014, she received a phone call from "La Chuta" requesting to utilize her birth certificate with the intent for the document to be used to smuggle an illegal alien at the Border Patrol Checkpoint. ZUNIGA stated that after speaking with "La Chuta" for a few minutes, she had agreed to smuggle two (2) illegal aliens from Progreso, Texas to San Antonio, Texas for five hundred dollars (\$500.00) to be paid prior to the attempt and another \$500.00 to be paid for the successful smuggling of the illegal aliens.

ZUNIGA stated she had met with Susana BERAZA, "La Chuta" and the illegal aliens at "La Chuta's" house. She stated the load vehicle, a Dodge Intrepid was at the house which was to be utilized to smuggle the illegal aliens. ZUNIGA stated that "La Chuta", another female and BERAZA gave her and the illegal aliens instructions in how to avoid suspicion and detection at the Border Patrol Checkpoint. ZUNIGA admitted that she and BERAZA intended to smuggle the illegal aliens through the Border Patrol Checkpoint. ZUNIGA stated "La Chuta" gave her \$500.00 in cash and promised her \$500.00 more after successfully smuggling the illegal aliens to San Antonio, Texas. ZUNIGA stated BERAZA was coaching the illegal aliens while they were driving towards the Border

Patrol Checkpoint. ZUNIGA stated BERAZA reassured her and the illegal aliens to relax and not to worry because she had successfully smuggled illegal aliens through the Border Patrol Checkpoint on several previous occasions. ZUNIGA stated that just before reaching the Border Patrol Checkpoint, BERAZA again provided the illegal aliens with further instructions and guidance with answering possible questions from Border Patrol Agents. ZUNIGA stated BERAZA was also promised an unknown payment of cash by "La Chuta" for the smuggling of the illegal aliens.

Border Patrol Agent (BPA) Robert Bell advised BERAZA, the passenger of the Dodge intrepid, of her Miranda Rights in the English language witnessed by BPA Matthew Cooze. ZUNIGA stated that she understood her rights and agreed to speak to Agents without an attorney present.

BERAZA stated she did not know the two rear passengers were illegal aliens. She stated ZUNIGA and her were headed to San Antonio, Texas for one night so that ZUNIGA could buy some pants. BERAZA stated she is friends with ZUNIGA and has known her for three months. BERAZA stated she was picked up by ZUNIGA at her friend's house in Progreso, Texas. BERAZA claimed they had stopped at a Love's Service station in Edinburg, Texas. BERAZA stated Raul LUNA-Luna and Maria Guadalupe PEREZ-Munoz were at the Love's. LUNA-Luna and PEREZ-Munoz asked them for a ride to San Antonio, Texas. BERAZA stated ZUNIGA offered LUNA-Luna and PEREZ-Munoz a ride to San Antonio, Texas. BERAZA said she did not ask LUNA or PEREZ if they had any documentation to be in the United States legally.

BERAZA admitted that she had two prior arrests for smuggling illegal aliens. BERAZA admitted that Maria BERAZA was her aunt and she has previously participated in alien smuggling attempts orchestrated by her cousin Karina BERAZA. At this point, BERAZA stated she did not want to answer further questions without a lawyer present. All questions were immediately stopped.

MATERIAL WITNESS STATEMENTS:

Material Witness #1, Raul LUNA-Luna stated as follows:

- He stated that he was a citizen and national of Mexico, who crossed the Rio Grande River, by boat, near Progreso, Texas and was illegally present in the U.S.
- He stated he had paid ten thousand dollars (\$10,000.00) then paid an additional two thousand dollars (\$2,000.00) and was to pay a final payment of two thousand dollars (\$2,000.00) after arriving in Houston, Texas for being smuggled.
- He stated he was taken to multiple stash locations in Progreso and Weslaco, Texas.
- He stated that he waited at an unknown apartment until ZUNIGA and BERAZA arrived and picked them up.
- He stated while waiting at the apartment, a female by the name of Karina BERAZA, coached he and his wife on what to say when crossing the immigration checkpoint.

- He stated ZUNIGA and BERAZA also coached him on what to say they told him when he gets questioned about his citizenship at the checkpoint, to answer "yes".
- He stated that BERAZA told PEREZ-Munoz to put on her black sweater and pretend to sleep when they got closer to the checkpoint.
- He identified ZUNIGA and BERAZA from photographic line up displays as the driver and passenger in the vehicle he was riding.

Material Witness #2, Maria Guadalupe PEREZ-Munoz refused to provide a statement although she identified ZUNIGA and BERAZA from photographic line up displays as the driver and passenger in the vehicle she was riding.

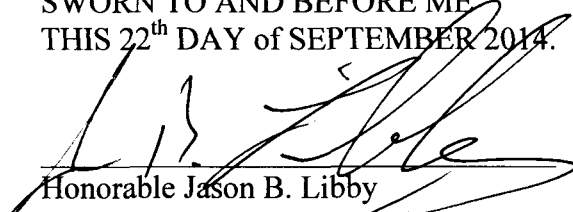
There were no exculpatory evidence/statements that were provided in this case.

HSI Taskforce Agent Roberto Pina was made aware of the facts that have been set forth in this affidavit, and based on the facts presented; Assistant United States Attorney Bob Thorpe was contacted and advised of this incident. Based on the facts that were presented, AUSA Thorpe accepted prosecution on this case for a violation of Title 8 United States Code 1324, Alien Smuggling against ZUNIGA and BERAZA.



Robert Pina
Taskforce Officer
Homeland Security Investigations (HSI)

SWORN TO AND BEFORE ME
THIS 22th DAY of SEPTEMBER 2014.



Honorable Jason B. Libby
United States Magistrate Judge